



Republican Policy Committee

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The Real Republican Agenda

Protect Our Environment, Not EPA's Flawed Regulatory Approach

The Republican Vision for the Future of Federal Environmental Policies

We share America's goals for a safe and healthy environment for our children and their children. We want to be conscientious stewards of our precious and unique natural resources. We do not want to "roll back" environmental protections. The real debate is about how best to achieve environmental goals in the context of enhancing prosperity for all Americans.

The current environmental regulatory approach is flawed. We've had 25 years to learn what works and what does not. Too often, the current approach is wasting Americans' dollars by employing too many bureaucrats addressing the wrong risks and using the wrong regulatory methods. We cannot continue on this flawed course.

Our common-sense policy is to regain control over the bureaucracy, fix the flaws in today's regulatory structure, and ensure sustainable environmental protection for the 21st century. We are committed to going forward with approaches that make sense for today and tomorrow.

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- **Common Goals:** We are strongly committed to protecting the health, safety, and welfare of all Americans, and to being stewards of our environmental blessings for our children's children. Americans desire for safe drinking water and clean air is not divided along party lines. Nor is our common interest in conserving America's unique and precious natural resources.
- **Our Record of Accomplishments:** Republicans have served in the White House for almost 20 of the past 25 years of federal efforts to protect the environment. We have led in the historic, bipartisan effort to protect the nation's waters, air and land. President Theodore Roosevelt was among those who started the national conservation movement. President Richard Nixon established the Environmental Protection

Agency. And all us can take pride that we as a nation have made enormous improvements in reducing environmental pollution. The United States is the leader of the industrialized world in our commitment to clean air, clean water, and safe disposal of wastes.

The current environmental regulatory approach is flawed.

- **Increasingly Costly Federal Environmental Rules:** We want to learn from the last 25-years of federal environmental laws, regulations, and enforcement. After spending about \$2 trillion on direct compliance with federal environmental regulations since 1970, Americans increasingly are becoming aware they have not been getting their money's worth. In a widely cited economic analysis contracted for by GAO in 1992, Professor Thomas Hopkins of the Rochester Institute of Technology projected that Americans would be spending at least \$170 billion a year on *direct compliance* with environmental regulations by 1995 (no one knows for sure) — an amount which is more than double (in constant dollars) what he estimated was spent in 1985. It is time to review the ever expanding body of regulations, which Hopkins conservatively projected will cost \$1 trillion in just the next six years.
- **A Bigger Bureaucracy, Not Better Protection:** EPA has almost doubled in size in the past 20 years to over 19,000 employees (not counting contract employees), and its budget has grown from \$1.6 billion to \$3.6 billion (in constant dollars), not counting construction spending, during this same period. More federal bureaucrats do not mean better environmental protection, but they do mean less dollars for other priorities.
- **Ignored Policy of Sound Science:** In addition, too frequently, environmental policies have become detached from sound science. Extremist national environmental lobbyists have defrauded the public interest by demanding extreme environmental programs that are based on sensational and unsound "science" and seek to reach the ideal of zero risks no matter what the costs. Scarce government funds and private capital have been siphoned off in a shameful waste of family and employer resources.
- **The Pursuit of Smaller Risks at Greater Costs:** America has begun to see the law of diminishing returns as our environmental program has picked all the low hanging fruit. The federal government has begun chasing smaller and smaller health and environmental risks with more and more expensive regulatory programs.
- **Opportunity Costs of Unreasonable Pursuits:** Spending more on unreasonable environmental regulations by chasing slight or sensational risks means less state, local and individual resources available to meet other health or societal risks. A new firefighting station may be more important to a town than monitoring for chemicals that do not ever appear in its drinking water supply.
- **Greater Risks Unintentionally Created:** In addition, chasing slight or sensational

risks has increased "risk verses risk" exposures, i.e., unintentionally creating greater risks of harm (such as increased highway fatalities through the federal automobile fuel efficiency standards and increasing children's exposure to airborne asbestos through mandatory asbestos removal programs for schools).

- **Lack of Prioritization:** Trying to eliminate every risk has led to a lack of prioritization by the federal environmental agencies. Giving every risk "top priority" means that no risk is given priority.
- **Local Ingenuity Stifled:** Washington-knows-best and one-size-fits-all regulation is inappropriate for many individuals and regions, and has stifled state and individual ingenuity. In many cases, the federal government's national command-and-control policies are preventing state and local governments from setting their own priorities based on local needs, and hindering individuals from helping improve their own environment. As state and local governments become increasingly sophisticated and competent to ensure environmental protection for their citizens, mayors and governors are becoming more resentful of inflexible federal mandates and enforcement.
- **System Abused:** The federal environmental leviathan has led to "fraud, waste and abuse." In addition to wasting scarce public and private resources, we see arrogant bureaucrats who have abused their enforcement powers to micro-manage and threaten state and local governments and individual citizens. Americans deserve to be better served by their government.
- **Punitive Practices:** Federal bureaucrats, especially under the current Administration, have been using the slogan of "punishing polluters" to enforce procedural paperwork instead of focusing on reducing pollution. It would appear that EPA bureaucrats are more concerned about the Clean Air Act than about clean air. The goal should be facilitating compliance and improving environmental performance, not seeking a high "body-count" of criminal prosecutions.
- **False Justifications:** This Administration has been justifying extremist regulatory policies by chanting a transparent falsehood — that more environmental regulation means more jobs and increased productivity. Nonsense. Cleaning our environment does cost money and does have an adverse effect on international competitiveness and domestic jobs. Higher production costs do not mean greater competitiveness. Losing a thousand jobs in one manufacturing industry so that a hundred workers can be hired to manufacture pollution control equipment is no bargain. Slowing down economic growth reduces, not enhances, the overall health of our society and our ability to seek generous environmental protection.
- **Litigation Nightmares:** The current system of federal environmental regulation is such a litigation nightmare that it seems the only ones really cleaning up are the lawyers. The most infamous example is the federal Superfund program, for which the taxpayer has spent about \$15 billion, of which an estimated \$9 billion has been for transaction costs (program administration, litigation, etc). Private entities have spent

another \$15 billion on superfund, of which \$5 billion has been on litigation. And the result of all these spent resources, as of May 24, 1995, EPA had removed only 74 sites from the 1,300-site National Priority List.

Our policy is to fix the flaws in today's regulatory structure, and ensure sustainable environmental protection.

- **Create a Coherent, Unified Program:** We dare to review the archeological pile of environmental laws and regulations imposed over the last quarter century. Without rolling back needed health and environmental protections, we need to fine-tune some programs, fundamentally fix some that are clearly broken (such as Superfund), enhance others (such as providing incentives to individuals who protect priority endangered species), and ultimately, to produce a coherent, unified environmental program based on sound science, flexibility, with an emphasis on state and local action.
- **Explain that Correcting Bureaucratic Flaws is Not Anti-Environment:** We need to explain that correcting the EPA and federal environmental statutes is not threatening the environment: To be against an out-of-control federal environmental regulatory bureaucracy is no more anti-environment than being in favor of overhauling our flawed federal welfare program is being anti-poor.
- **Acknowledge the Trade-offs:** "Better safe than sorry" is no longer an affordable approach. The skyrocketing costs of many recent regulatory proposals demand that we balance extreme proposals with the potential costs, including the loss of jobs, reduction in our standard of living, and infringement on our individual freedoms and property rights.
- **Prioritize Health Risks:** The high costs of ever-increasing layers of environmental regulation demand that we use sound science to identify where there are real health risks, and then prioritize our efforts to reduce the more serious risks first.
- **Apply Common Sense:** We will apply principles to environmental regulation to improve both our standard of living and our environmental well-being.
 - These principles include: a less intrusive and more cooperative government, more common sense in regulation, and more individual responsibility.
 - Wherever possible, we want to replace command-and-control micro-management by federal bureaucrats with regulations that establish clear environmental standards and goals, and require a cooperative federal government that gives flexibility to individuals and state and local governments to best use their own ingenuity to achieve those goals.
 - We believe in the welfare of the nation's environment, not in welfare for the Washington environmental lobby and federal bureaucrats.

- **Protect Individual Property Rights:** The federal government has been shifting the costs of achieving national environmental goals onto hapless individual property owners. Individual rights need to be protected, particularly from the overreaching enforcement of federal wetlands and endangered species programs. If a natural resource is worth "taking" from its owner, then it is worth paying for. We do not steal from our citizens.
- **Encourage State, Local, and Individual Responsibility:** Republicans will encourage individuals and local and state governments to take on more responsibility for protecting the environment by:
 - focusing federal environmental regulation on reasonable minimum national standards, while giving individuals and state and local governments maximum flexibility to meet or exceed those standards;
 - encouraging industry to explore ways to reduce pollution and energy waste, without being penalized by the federal government for making plant modifications;
 - focusing federal bureaucrats on providing technical advice built upon sound research, to assist states, local governments and individuals to meet environmental goals; and
 - encouraging "self-help" audits by state and local governments and businesses that emphasize discovery and correction of pollution.
- **Allow Market Mechanisms to Meet Environmental Goals:** In its Clean Air Act Amendments proposal to Congress in 1989, the Bush Administration pioneered the concept of free-market trading of pollution credits for sulfur dioxide emissions. This pollution credit system is working well. In addition, mitigation practices — such as building a new wetlands in one area in exchange for the right to build on a wetlands in another area — should be applied frequently and without unreasonable penalties.

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